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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,057	08/26/2003	Scott Haisley	34062-3	2955
7590	01/12/2005			EXAMINER
Woodard, Emhardt, Moriarty, McNett & Henry LLP Bank One Center/Tower 111 Monument Circle, Suite 3700 Indianapolis, IN 46204-5137			PIERCE, WILLIAM M	
			ART UNIT	PAPER NUMBER
			3711	
DATE MAILED: 01/12/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/648,057	HAISLEY, SCOTT	
	<b>Examiner</b>	<b>Art Unit</b>	
	William M Pierce	3711	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 27 August 2003.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-33 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
**WILLIAM M. PIERCE**  
 PRIMARY EXAMINER

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date: _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

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## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

Claim 28 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

"The larger" lacks a proper antecedent.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 8, 9, 12-28 and 31-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Lathrop.

As to claims 1, 14, 16, 18, 25, 26 and 31-33, Lathrop shows a base 12 mountable in the hole of a bowling ball with a threaded female coupling portion 22 and a sleeve 50 and a coupling portion 44. As to claims 2 and 19, 44 is threaded and "rotatably engages said base coupling portion. 24 acts as a means for preventing rotation as called for in claims 3, 4, 8 and 20. Plastic is shown at col. 4, ln. 50 and col. 5, ln. 4 as called for by claims 9 and 21. As to claim 12, 72 is considered a receptacle for a torque application tool. As to claims 13, 22, 27 and 28, Lathrop broadly shows a first outer diameter at the beginning of the sleeve and a second outer diameter at the end of the sleeve based solely on there juxtaposition. Whether the diameters are different along an axial length of the sleeve as shown in applicant's fig. 6A are limitations that cannot be read into the claim. As to claims 15, 23 and 24 washer 60 is considered to be an "alignment indicator" to be "axially aligned with the bore 44" (col. 5, ln. 36).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-7, 10, 11, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lathrop.

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As to claims 5, 6 and 29, the member 24 of Lathrop is coupled but does not mention threading. To have threaded the member of Lathrop would have been obvious in order to removably secure it within the bore. As to claim 7, making element 24 of Lathrop of plastic would have been an obvious matter of choice in materials. As to claims 10 and 30, Lathrop shows that base 12 to be secured to the hole. To have used a chemical adhesive would have been an obvious expedient. As to claim 11, all materials are broadly resistant to chemical bonding. As such the sleeve of Lathrop is considered to meet the limitations of the claim.

**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Arsenault, Tryon, Haza, Seyler, Alberts, Seurnck and Bunk show bowling inserts.

Any inquiry concerning this communication and its merits should be directed to William Pierce at E-mail address bill.pierce@USPTO.gov or at telephone number (571) 272-4414.

For official fax communications to be officially entered in the application the fax number is (703) 872-9306.

For informal fax communications the fax number is (703) 308-7769.

Any inquiry of a general nature or relating to the status of this application or proceeding can also be directed to the receptionist whose telephone number is (703) 308-1148.

Any inquiry concerning the drawings should be directed to the Drafting Division whose telephone number is (703) 305-8335.



WILLIAM M. PIERCE  
PRIMARY EXAMINER